GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

STARRED QUESTION NO:38
ANSWERED ON:26.04.2016
NGOs registered under FCRA
Gopal Dr. K.

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the criteria being followed for placing Non-Governmental Organisations (NGOs) registered under the Foreign Contributions Regulation Act (FCRA), 2010 under the "prior approval" category;

(b) whether the Government has recently removed several NGOs as well as included certain NGOs in the said category;

(c) if so, the details thereof and the reasons therefor; and

(d) the manner in which the activities of the said NGOs are likely to be regulated as a result thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI KIREN RIJIJU)

(a) to (d): A Statement is laid on the Table of the House.
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STATEMENT IN REPLY TO THE LOK SABHA STARRED QUESTION NO.*38 FOR 26.04.2016.

(a) to (d): The Ministry of Home Affairs is mandated to administer the Foreign Contribution (Regulation) Act, 2010 (FCRA 2010) and Rules made there-under for regulating the receipt and utilization of foreign contribution by the associations/NGOs. As per Section 11 of the FCRA, 2010, no person having a definite cultural, economic, educational, religious or social programme shall accept foreign contribution unless such person obtains a certificate of registration or prior permission from the Central Government. As and when information regarding receipt and utilization of foreign contribution by an association without obtaining registration/prior permission is received, inspection of records and accounts of the institutions is carried out to ascertain violations of the provisions of FCRA, 2010.

Further, when information is received that particular donor located outside the country is transferring the money to ineligible recipients located in the country, the matter is examined in detail and after establishment of prima-facie case, action is initiated against the recipients as per provisions of FCRA, 2010. Simultaneously, as far as
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foreign donor is concerned, exercising the powers given in section 46 of FCRA, 2010, it is put under Prior Reference Category, which implies that as and when the foreign donor wants to transfer the money to some recipient association in India, the same needs prior clearance of Ministry of Home Affairs.

After due consideration and based on specific reports one organisation was removed from the prior reference category and two others have been added into the prior reference category in the year 2016.

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